Express Mail EL939553058US

Dra	titioner's	Docket N	8141/11803	

**PATENT** 

### COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

## TYPE OF DECLARATION

This declaration is of the following type:	
(check one applicable item below)	
🖾 original.	
☐ design.	
NOTE: With the exception of a supplemental oath or declaration submitted in a reissue, a supplement or declaration is not treated as an amendment under 37 CFR 1.312 (Amendments after allo M.P.E.P. § 714.16, 7th Edition.	
supplemental.	
NOTE: If the declaration is for an International Application being filed as a divisional, continuation-in-part application, do <u>not</u> check next item; check appropriate one of last three	
☐ national stage of PCT.	
NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVIS CONTINUATION OR C-I-P.	SIONAL,
NOTE: See 37 C.F.R. § 1.63(d) (continued prosecution application) for use of a prior nonprovisional application in the continuation or divisional application being filed on behalf of the same or the inventors named in the prior application.	
☐ divisional.	
☐ continuation.	
NOTE: Where an application discloses and claims subject matter not disclosed in the prior application continuation or divisional application names an inventor not named in the prior application continuation-in-part application must be filed under 37 C.F.R. § 1.53(b) (application filing requirements).	ation, a

### INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

## TITLE OF INVENTION

Method for Screening Combinatorial Bead Library: Ligands for Cancer Cells

## SPECIFI ATION IDENTIFICATION

the specification of which:

(complete (a), (b), or (c))

(a) 🛚	] is attached hereto.
NOTE:	"The following combinations of information supplied in an oath or declaration filed on the application filing date with a specification are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR 1.63:
	"(1) name of inventor(s), and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration on filing;
	"(2) name of inventor(s), and attorney docket number which was on the specification as filed; or
	"(3) name of inventor(s), and title which was on the specification as filed."
	Notice of July 13, 1995 (1177 O.G. 60).
(b) [	Sorial No. 0 /
	and was amended on (if applicable).
NOTE:	Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 C.F.R. § 1.67.
NOTE:	"The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR 1.63:
	"(A) application number (consisting of the series code and the serial number, e.g., 08/123,456);
	"(B) serial number and filing date;
	"(C) attorney docket number which was on the specification as filed;
	"(D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or
	"(E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration."
	M.P.E.P. § 601.01(a), 7th Ed.
(c) [	was described and claimed in PCT International Application No.
	amended under PCT Article 19 on (if any).
	(Declaration and Power of Attorney [1-1]page 2 of 7]

FORM 1-1

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## SUPPLEMENTAL DECLARATION (37 C.F.R. § 1.67(b))

(complete the following where a supplemental declaration is being submitted)
☐ I hereby declare that the subject matter of the ☐ attached amendment
amendment filed on
was part of my/our invention and was invented before the filing date of the original application, above-identified, for such invention.
ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR
I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.
I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56,
(also check the following items, if desired)
and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent and
in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. § 1.98.
PRIORITY CLAIM (35 U.S.C. §§ 119(a)-(d), (f) 172, and 365(a) and (b))
•

NOTE: 37 C.F.R. § 1.55 Claim for foreign priority.

"(a) An applicant in a nonprovisional application may claim the benefit of the filing date of one or more prior foreign applications under the conditions specified in 35 U.S.C. 119(a) through (d) and (f), 172, and 365(a) and (b).

(1)(i) In an original application filed under 35 U.S.C. 111(a), the claim for priority must be presented during the pendency of the application, and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior foreign application This time period is not extendable. The claim must identify the foreign application for which priority is claimed, as well as any foreign application for the same subject matter and having a filing date before that of the application for which priority is claimed, by specifying the application number, country (or intellectual property authority), day, month, and year of its filing. The time period in this paragraph does not apply to an application for a design patent.

(ii) In an application that entered the national stage from an international application after compliance with 35 U.S.C. 371, the claim for priority must be made during the pendency of the application and within the time limit set forth in the PCT and the Regulations under the PCT."

(2) The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. 119(b) or PCT Rule 17 must, in any event, be filed before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date the issue fee is paid, it must be accompanied by the processing fee set forth in § 1.17(i), but the patent will not include the priority claim unless corrected by a certificate of correction under 35 U.S.C. 255 and § 1.323

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)–(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(d) ⊠ nos	uch applications have been file	ed.	
• • —	applications have been filed		
NOTE: Where its priority of	em (c) is entered above and the Internati check item (e), enter the details below	onal Application which desi and make the priority clai	ignated the U.S. itself claimed im.
(6 N	OREIGN/PCT APPLICATIO	IOR TO THIS APP	PLICATION
AND	ANY PRIORITY CLAIMS U	INDER 35 U.S.C.	§ 119(a)–(d)
COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			☐ YES NO ☐
			☐ YES NO ☐
			☐ YES NO ☐
			☐ YES NO ☐
			☐ YES NO ☐
date of a date of a expires of I hereby clair	(35 U.S.C. (35 U.S.C.)  C. 119(e)(1) requires that a nonprovision the provisional application for the non the provisional application. Under 35 on a non-business day, it is extended in the benefit under Title 35, Unal application(s) listed below:	nal application be filed with provisional application to U.S.C. 21(b) and 119(e)(3, to expire on the next bus	claim the benefit of the filing ), if this twelve-month period iness day.
	APPLICATION NUMBER		FILING DATE
/			
CLAII	M FOR BENEFIT OF EARL UNDER 35 U		ICATION(S)
	The claim for the benefit of attached ADDED PAGES TO CATTORNEY FOR DIVISIONAL PART (C-I-P) APPLICATION.	COMBINED DECLARA	ATION AND POWER OF
	(1)	Declaration and Power of	Attorney [1-1]—page 4 of 7)

(Rel.91—7/02 Pub.605) FORM 1-1 1—

NOTE:	If the application filed more than 12 months from the filing dathe basis for this application entering the United States as divisional, or continuation-in-part, then also complete ADDE AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUOT the prior U.S. or PCT application(s) under 35 U.S.C. §	(1) the national stage, or (2) a continuation, ED PAGES TO COMBINED DECLARATION ATION OR C-I-P APPLICATION for benefit
	POWER OF ATTORN	EY
	by appoint the following practitioner(s) to proseness in the Patent and Trademark Office connections	
	(list name and registration n	umber)
	Audrey A. Millemann, Reg. No	. 44,942
	(check the following item, if ap	oplicable)
C	I hereby appoint the practitioner(s) associate vided below to prosecute this application a Patent and Trademark Office connected the	and to transact all business in the
	Attached, as part of this declaration and pow of the above-named practitioner(s) to accep representative(s).	ver of attorney, is the authorization of and follow instructions from my
NOTE:	"Special care should be taken in continuation or divisional correspondence address in a prior application is reflected it for example, where a copy of the oath or declaration from continuation or divisional application filed under 37 CFR 1.5 from the prior application designates an old corresponden in the continuation or divisional application, the change of prosecution of the prior application. Applicant is required address in the continuation or divisional application to ensumailed to the current correspondence address. 37 CFR 1.	in the continuation or divisional application. or the prior application is submitted for a i3(b) and the copy of the oath or declaration ace address, the Office may not recognize, correspondence address made during the to identify the change of correspondence are that communications from the Office are
SEND C	ORRESPONDENCE TO	DIRECT TELEPHONE CALLS TO: (Name and telephone number)
. [2	Address Audrey Audrey A. Millemann Weintraub Genshlea Chediak Sproul A Law Corporation 400 Capitol Mall, 11th Floor	y A. Millemann (916) 558-60 Sacramento, California 95
	(complete the following if app	-ti-oblo)

(Declaration and Power of Attorney [1-1]—page 5 of 7)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

			SIGNA I UNE(S)		
NOTE:	Carefully indicate documents.	the family (or	last) name, as it should a	appear on the filing receipt and all	othe
	without abbreviation address and count	n together wit ry of citizensh	h any other given name or ii iip. 37 CFR § 1.63(a)(3).	family name, and at least one given initial, and by his/her residence, post	offic
NOTE:	inventors. Section prohibits the exec	1.63(a)(3) recution of sepai	quires that a declaration/oa	ed <u>each</u> declaration/oath sets forth a ath, inter alia, identify each invento iich each sets forth only the name 10, 1997,	or and
Full nar	ne of sole or f	irst invento	or		
К	it		S	Lam	
(GIVI	EN NAME)		MIDDLE INFLAL OR NAME)	FAMILY (OR LAST NA	ME)
Invento	r's signature _	$ 0$ $\infty$	JA tan	101 3/33	
Date	October 3,	2003	Country of Chizens	ship <u>US</u>	
Resider	nce	Davis	, California		
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Full nar	ne of third join	t inventor,	if any		
(GIVI	EN NAME)	-	(MIDDLE INITIAL OR NAME)	FAMILY (OR LAST NA	ME)
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(Declaration and Power of Attorney [1-1]—page 6 of 7)

**FORM 1-1** 

(Rel.91-7/02 Pub.605)

tive.

	(check proper box(es) for any of the following added page(s) that form a part of this declaration)
	Signature for fourth and subsequent joint inventors. Number of pages added
	• •
	Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. <i>Number of pages added</i>
	* * *
	Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. <i>Number of pages added</i>
•	* * *
	Added page for <b>signature</b> by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47)
	* * *
X	Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.  Number of pages added 3

(if no further pages form a part of this Declaration, then end this Declaration with this page and check the following item)

☐ Authorization of practitioner(s) to accept and follow instructions from representa-

☐ This declaration ends with this page.

(Declaration and Power of Attorney [1-1]—page 7 of 7)

Practitioner's	Docket No.	8141/11803
Practitioner's	Docket No.	0141/11005

# ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION

(complete this part only if this is a divisional, continuation or C-I-P application)

## CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120

I hereby claim the benefit, under Title 35, United States Code, § 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information

that is material to patentability as defined in 37, Code of Federal Regulations, § 1.56

(also check the following item, if desired)

and that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application. (37 C.F.R. § 1.63(e)).

(also check the following item, if desired)

In compliance with this duty, there is attached an information disclosure statement
in accordance with 37 C.F.R. § 1.98.

## PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120: U.S. APPLICATIONS Status (check one) U.S. APPLICATIONS | U.S. FILING DATE **Patented** Pending Abandoned 1.010/032,678 October 26, 2001 2.0 /\_\_\_\_\_ 3.0 / \_\_\_\_ PCT APPLICATIONS DESIGNATING THE U.S. PCT APPLI-**PCT FILING** U.S. CATION NO. DATE **APPLICATION NOS. ASSIGNED** (if any) 0 /\_\_\_\_\_

(Added Page to Combined Declaration and Power of Attorney for Divisional, Continuation or C-I-P Application [1-2.1]—page 2 of 3)

(Rel.85—11/00 Pub.605) FORM 1-2.1 1-26

## 35 USC § 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS

ABOVE APPLICATION NO.	DETAILS OF U.S. PROVISIONAL OR FOREIGN APPLICATION FROM WHICH PRIORITY CLAIMED UNDER 35 USC § 119				
Please indicate appropriate PCT application no.	Country and Application No.	Date of filing (day, month, year)	Date of issue (day, month, year)		
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					

Docket No: 8141/11803

Applicants or Patentee: Kit S. Lam and Derick H. Lau

Serial or Patent No. Filed or Issued:

For: Method for Screening Combinatorial Bead Library; Ligands for Cancer Cells

Group: Examiner:

## ASSIGNEE CERTIFICATION UNDER 37 C.F.R. 3.73(b)

In accordance with 37 C.F.R. 3.73(b), the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of the assignee's knowledge and belief, title is in the assignee seeking to take this action.

Dated: October 6, 2003

ASSIGNEE: THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Office of Technology Transfer

Office of the President University of California

1111 Franklin Street, 12th Floor

Oakland, CA 94607

Typed Name: J. Lawrence Fox

Signature:

Title: Director, Technology Transfer Center

Docket No: 8141/11803

Applicants or Patentee: Kit S. Lam and Derick H. Lau

Serial or Patent No. Filed or Issued:

For: Method for Screening Combinatorial Bead Library; Ligands for Cancer Cells

Group: Examiner:

POWER OF ATTORNEY BY ASSIGNEE AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71

Dear Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints

Audrey A. Millemann, Reg. No. 44,942

as its attorney to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 CFR 3.71.

An assignment of the entire interest in the above-identified subject application:

was recorded on _	at reel/trame/_	•

☑ is submitted herewith for recording.

Please direct all telephone calls to **Audrey A. Millemann** at **916/558-6033** and all correspondence relative to said application to the following address:

Audrey A. Millemann
Weintraub Genshlea Chediak Sproul
A Law Corporation
400 Capitol Mall, 11th Floor
Sacramento, California 95814

Dated: October <u>6</u>, 2003

ASSIGNEE: THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Office of Technology Transfer

Office of the President University of California

1111 Franklin Street, 12th Floor Oakland, California 94607-5200

However Ho

Signature:

Name: J. Lawrence Fox

Title: Director, Technology Transfer Center